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PATENT
ATTORNEY DOCKET NO.: 045636-5039-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lise Thibodeau *et al.* Confirmation No.: 2513
Application No.: 09/632,806 Art Unit: 1648
Filed: August 4, 2000 Examiner: J. Parkin, Ph.D.
For: USE OF HIV-1 GP120 AND GP160 PROTEINS MODIFIED IN THE V3 LOOP FOR THE
PREPARATION OF VACCINE COMPOSITIONS CONTAINING THE SAME

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

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01-FC:2253 510.00 DA
02-FC:2401 250.00 DA

Sir:

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated May 5, 2005, allowing claims 24-31 and 34-36 and rejecting claims 32 and 33.

1. Extension of Time

- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$510.00

- ☒ The Commissioner is authorized to charge the extension of time fee of \$510.00 to Deposit Account No. 50-0310.

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

- ☒ The Commissioner is authorized to charge the appeal fee of \$250.00 to Deposit Account No. 50-0310.

3. Constructive Petition

- ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 7, 2005

By: 

Sally P. Teng
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